

Rule 7. Petitions

A petition filed pursuant to Minn. R. Crim. P. 20.01 or Minn. R. Juv. Del. P. 20.01 is sufficient if it contains a judicial determination that the defendant is incompetent to stand trial or be sentenced for the offense. A petition filed pursuant to Minn. R. Crim. P. 20.02 or Minn. R. Juv. Del. P. 20.02 is sufficient if it contains a judicial determination that the defendant was found not guilty, by reason of mental illness or mental deficiency, of the crime with which the defendant was charged.

Advisory Committee Comment - 1999

This rule clarifies that petitions pursuant to Minn. R. Crim. P. 20 or Minn. R. Juv. Del. P. 20 need not include all of the specific requirements of the law relating to petitions for judicial commitment, which arise from referrals to the pre-petition screening team. For example, an examiner's statement in support of commitment is not required, since the basis of the petition is a judicial determination.